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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/868,407 06/03/97 GERSZBERG

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EXAMINER

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ARMSTRONG, D

ART UNIT

PAPER NUMBER

2745

7

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08/16/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

*Harne D Armstrong*  
703-306-5015

# Office Action Summary

Application No.  
**08/868,407**

Applicant  
**Gerszberg et al.**

Examiner  
**Darnell Armstrong**

Group Art Unit  
**2745**



☒ Responsive to communication(s) filed on May 6, 1999

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-26 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-26 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Widmark et al. (US patent number 5,504,804).

**Regarding claim 6**, Widmark discloses providing individual subscriber services in a cellular mobile communication network. In addition, Widmark discloses a base station (704) connected to a public switched telephone network (709), the base station (704) comprising, "a transceiver (905) receiving a call request from a wireless station (701)", as exhibited in figure 8, step 801; "a memory (718) containing a database, the database containing dialing instructions for the wireless station (701) for rapidly- established a telephone connection through the public switched telephone network (709) to a destination station (702); and a call processor responsive to the call request by accessing the database and dialing call

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for a rapidly- established telephone connection through the public switched telephone network to the destination station (702) based on the dialing instructions for the wireless station (701)", as exhibited in figure 8, steps 802-804.

**Regarding claim 15** , Widmark discloses providing individual subscriber services in a cellular mobile communication network. In addition, Widmark discloses a base station (704) connected to a public switched telephone network (709) , the base station (704) comprising, "a transceiver (905) receiving a call request from a wireless station (701)", as exhibited in figure 8, step 801; "a memory (718) containing a database, the database containing dialing instructions for the wireless station (701) for rapidly- established a telephone connection through the public switched telephone network (709) to a destination station (702); and a call processor responsive to the call request by accessing the database and dialing call for a connection through the public switched telephone network to the destination station (702) based on the dialing instructions for the wireless station (701) a connection established for the call from the base station to the destination station being a predetermined routing path through the public switched telephone network based on the dialing instructions for the wireless station", the dialing instructions

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reads on using a short number to route call as disclosed column 12, lines 40-57 and as exhibited in figure 8, steps 802-804.

**Regarding claim 22** , Widmark discloses providing individual subscriber services in a cellular mobile communication network. In addition, Widmark discloses a base station (704) connected to a public switched telephone network (709) , the base station (704) comprising, “a transceiver (905) receiving a call request from a wireless station (701)”, as exhibited in figure 8, step 801; “a memory (718) containing a database, the database containing dialing instructions for the wireless station (701) for a telephone connection through the public switched telephone network (709) to a destination station (702); and a call processor responsive to the call request by storing the voice signals in memory, accessing the database and dialing call for a connection through the public switched telephone network to the destination station (702) based on the dialing instructions for the wireless station (701), the call processor transmitting the stored voice signals to the destination station when the call is connected through the public switched telephone network”, as disclosed on column 10, lines 27-35.

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**Regarding claim 7,** Widmark discloses everything as applied above (see claim 6). In addition, Widmark discloses “a base station (704) wherein a rapidly-established telephone connection established for the call from the base station (702) to the destination station is a predetermined routing path (707, 716) through the public switched telephone network (709) based on the dialing instructions for the wireless station (702)”, as disclosed on column 12, lines 54-57 and exhibited in figures 7 and 8.

**Regarding claims 8, and 16,** Widmark discloses everything as applied above (see claims 7 and 15). In addition, Widmark discloses “the memory stores (718) voice signals received by the transceiver (704) from the wireless station (701) prior to the call processor (931) accessing the database, the stored voice signals being transmitted to the destination station (702) when the call is connected through the public switched telephone network (709)”, as disclosed on column 10, lines 29-49.

**Regarding claims 9, 17 and 23,** Widmark discloses everything as applied above (see claims 8, 15 and 22). In addition, Widmark discloses “wireless station is a mobile station (701)”, as exhibited in figure 7 .

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**Regarding claims 10, 18, 24 and 26,** Widmark discloses everything as applied above (see claims 8, 15 and 22). In addition, Widmark discloses “the connection established for the call is a connection that is time-shared with other wireless stations (715, 702)”, as exhibited in figure 7 .

**Regarding claim 11,** Widmark discloses everything as applied above (see claim 8). In addition, Widmark discloses a method for connecting a call through a telecommunications network, the method comprising the steps of: receiving a request for a call at a base station from a wireless station; accessing a database at the base station containing dialing instructions for the wireless station for a telephone connection through a public switched telephone network to a destination station; “dialing a call for connection through the through the public switched telephone network to the destination station based on the dialing instructions for the wireless station”, which reads on calls a cellular subscriber as disclosed column 12, lines 31-34 ; “establishing a connection for the call from the base station to the destination station using a predetermined routing path through the public switched telephone network based on the dialing instructions for the wireless station”, the

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dialing instructions reads on using a short number to route call as disclosed column 12, lines 40-57.

**As to claims 1-5, 12-14, 19-21 and 26**, Widmark recites a method of operation corresponding to the apparatus of claims 6- 10, 15-18, 22-24, and 26. The methods claimed are inherent in that it simply follows the logical implementation of using the apparatus indicated in the claims 6-10 in performing each of the functional operations of the associated system.

### ***Response to Arguments***

3. Applicant's arguments filed 5/6/99 have been fully considered but they are not persuasive.

As to the applicant's argument that Widmark does not disclose or suggest a method having the step of accessing a data base at a base station containing dialing instructions for a wireless station for a rapidly-established telephone connection through a public switched telephone network to a destination station, the examiner disagrees and directs the applicant back to the rejection. Widmark discloses a base



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station (704,715), a data base (718), PSTN (709). Moreover, the examiner states that Widmark discloses the importance of rapid incorporation service for the establishment of communication as disclosed column 6, lines 25-29. Therefore, the rejection is maintained.

As to the applicant argument that Widmark does not disclose or suggest a base station in which the stored voice signals are transmitted to the destination station when a call is connected through the PSTN, the examiner disagrees and directs the applicant back to the rejection above. Moreover, Widmark discloses a call connected to the destination through the PSTN receiving a prompt to state ~~whether~~ <sup>whether</sup> this is an "important call" or not, as disclosed column 7, line 60 through column 8, line 10. Therefore, the rejection is maintained.

### Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See

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MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darnell Armstrong whose telephone number is (703) 306-3015. The examiner can normally be reached on Monday through Thursday (first week of bi-week) and Monday through Friday (second week of bi-week) from 7:00 a.m. to 5:30 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Reinhard Eisenzopf, can be reached on (703) 305-4711. The fax phone number for this Group is (703) 305-9508.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Darnell R. Armstrong *DA.*

August 14, 1999

*Reinhard J. Eisenzopf*  
REINHARD J. EISENZOPF 8-15-99  
SUPERVISORY PATENT EXAMINER  
GROUP 2700